



## Legislation Text

File #: 26410, Version: 1

### Fiscal Note

No noteworthy fiscal impact is anticipated.

### Title

Amending Sec. 28.03(2) and portions of Chapter 28 of the Madison General Ordinances of the conservancy, agriculture, residential, office, commercial, manufacturing and specific manufacturing districts to allow mobile grocery as a permitted use.

### Body

DRAFTER'S ANALYSIS: This amendment allows groceries to be sold from a modified truck that moves from site to site in areas not well-served by grocery stores.

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The Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (2) entitled "Definitions" of Section 28.03 entitled "Rules and Definitions" of the Madison General Ordinances is amended by amending or adding therein the following:

"Mobile Grocery Store. A vehicle designed for over-the-road hauling that has been modified to sell groceries inside and that moves among sites on zoning lots on a daily basis."

2. Paragraph 7. of Subdivision (b) entitled "Permitted Uses" of Subsection (2) entitled "Conservancy District" of Section 28.07 entitled "Special Districts" of the Madison General Ordinances is created to read as follows:

"7. Mobile grocery store provided that:

- a. It is owned and operated by a non-profit entity.
- b. There is a principal use on the zoning lot.
- c. The location on the zoning lot shall be approved by the Traffic Engineer and the Zoning Administrator.
- d. A waiver or modification of the off-street parking requirements for the principal use on the zoning lot has been obtained.
- e. Hours of operation shall be between 7:00 a.m. and 8:00 p.m."

3. Paragraph 15. of Subdivision (b) entitled "Permitted Uses" of Subsection (3) entitled "Agriculture District" of Section 28.07 entitled "Special Districts" of the Madison General Ordinances is created to read as follows:

"15. Mobile grocery store provided that:

- a. It is owned and operated by a non-profit entity.
- b. There is a principal use on the zoning lot.
- c. The location on the zoning lot shall be approved by the Traffic Engineer and the Zoning Administrator.
- d. A waiver or modification of the off-street parking requirements for the principal use on the zoning lot has been obtained.
- e. Hours of operation shall be between 7:00 a.m. and 8:00 p.m."

4. Paragraph 20. of Subdivision (b) entitled "Permitted Uses" of Subsection (2) entitled "R1 Single-Family Residence District" of Section 28.08 entitled "Residence Districts" of the Madison General Ordinances is created to read as follows:

"20. Mobile grocery store provided that:

- a. It is owned and operated by a non-profit entity.
- b. There is a principal use on the zoning lot.
- c. The location on the zoning lot shall be approved by the Traffic Engineer and the Zoning Administrator.

- d. A waiver or modification of the off-street parking requirements for the principal use on the zoning lot has been obtained.

- e. Hours of operation shall be between 7:00 a.m. and 8:00 p.m.”

5. Paragraph 11. of Subdivision (b) entitled “Permitted Uses” of Subsection (7) entitled “R6 General Residence District” of Section 28.08 entitled “Residence Districts” of the Madison General Ordinances is created to read as follows:

“11. Mobile grocery store provided that:

- a. It is owned and operated by a non-profit entity.

- b. There is a principal use on the zoning lot.

- c. The location on the zoning lot shall be approved by the Traffic Engineer and the Zoning Administrator.

- d. A waiver or modification of the off-street parking requirements for the principal use on the zoning lot has been obtained.

- e. Hours of operation shall be between 7:00 a.m. and 8:00 p.m.”

6. Paragraph 12. of Subdivision (b) entitled “Permitted Uses” of Subsection (9) entitled “R4L Limited General Residence District” of Section 28.08 entitled “Residence Districts” of the Madison General Ordinances is created to read as follows:

“12. Mobile grocery store provided that:

- a. It is owned and operated by a non-profit entity.

- b. There is a principal use on the zoning lot.

- c. The location on the zoning lot shall be approved by the Traffic Engineer and the Zoning Administrator.

- d. A waiver or modification of the off-street parking requirements for the principal use on the zoning lot has been obtained.

- e. Hours of operation shall be between 7:00 a.m. and 8:00 p.m.”

7. Paragraph 14. of Subdivision (b) entitled “Permitted Uses” of Subsection (11) entitled “R4A Limited General Residence District” of Section 28.08 entitled “Residence Districts” of the Madison General Ordinances is created to read as follows:

“14. Mobile grocery store provided that:

- a. It is owned and operated by a non-profit entity.

- b. There is a principal use on the zoning lot.

- c. The location on the zoning lot shall be approved by the Traffic Engineer and the Zoning Administrator.

- d. A waiver or modification of the off-street parking requirements for the principal use on the zoning lot has been obtained.

- e. Hours of operation shall be between 7:00 a.m. and 8:00 p.m.”

8. Paragraph 7. of Subdivision (b) entitled “Permitted Uses” of Subsection (12) entitled “R1-R Rustic Residence District” of Section 28.08 entitled “Residence Districts” of the Madison General Ordinances is created to read as follows:

“7. Mobile grocery store provided that:

- a. It is owned and operated by a non-profit entity.

- b. There is a principal use on the zoning lot.

- c. The location on the zoning lot shall be approved by the Traffic Engineer and the Zoning Administrator.

- d. A waiver or modification of the off-street parking requirements for the principal use on the zoning lot has been obtained.

- e. Hours of operation shall be between 7:00 a.m. and 8:00 p.m.”

9. Paragraph 12. of Subdivision (c) entitled “Permitted Uses” of Subsection (2) entitled “O-1 Limited Office - Residence District” of Section 28.085 entitled “Office Districts” of the Madison General Ordinances is created to read as follows:

“12. Mobile grocery store provided that:

- a. It is owned and operated by a non-profit entity.

- b. There is a principal use on the zoning lot.
- c. The location on the zoning lot shall be approved by the Traffic Engineer and the Zoning Administrator.
- d. A waiver or modification of the off-street parking requirements for the principal use on the zoning lot has been obtained.
- e. Hours of operation shall be between 7:00 a.m. and 8:00 p.m.”

10. Paragraph 8. of Subdivision (c) entitled “Permitted Uses” of Subsection (4) entitled “O-3 Administrative Office District” of Section 28.085 entitled “Office Districts” of the Madison General Ordinances is created to read as follows:

“8. Mobile grocery store provided that:

- a. It is owned and operated by a non-profit entity.
- b. There is a principal use on the zoning lot.
- c. The location on the zoning lot shall be approved by the Traffic Engineer and the Zoning Administrator.
- d. A waiver or modification of the off-street parking requirements for the principal use on the zoning lot has been obtained.
- e. Hours of operation shall be between 7:00 a.m. and 8:00 p.m.”

11. Paragraph 59. of Subdivision (c) entitled “Permitted Uses” of Subsection (2) entitled “C1 Limited Commercial District” of Section 28.09 entitled “Commercial Districts” of the Madison General Ordinances is created to read as follows:

“59. Mobile grocery store provided that:

- a. It is owned and operated by a non-profit entity.
- b. There is a principal use on the zoning lot.
- c. The location on the zoning lot shall be approved by the Traffic Engineer and the Zoning Administrator.
- d. A waiver or modification of the off-street parking requirements for the principal use on the zoning lot has been obtained.
- e. Hours of operation shall be between 7:00 a.m. and 8:00 p.m.”

12. Paragraph 16. of Subdivision (c) entitled “Permitted Uses” of Subsection (2) entitled “RPSM Research Park - Specialized Manufacturing District” of Section 28.10 entitled “Manufacturing Districts” of the Madison General Ordinances is created to read as follows:

“16. Mobile grocery store provided that:

- a. It is owned and operated by a non-profit entity.
- b. There is a principal use on the zoning lot.
- c. The location on the zoning lot shall be approved by the Traffic Engineer and the Zoning Administrator.
- d. A waiver or modification of the off-street parking requirements for the principal use on the zoning lot has been obtained.
- e. Hours of operation shall be between 7:00 a.m. and 8:00 p.m.”

13. Paragraph 15. of Subdivision (c) entitled “Permitted Uses” of Subsection (6) entitled “RDC Research and Development Center District” of Section 28.10 entitled “Manufacturing Districts” of the Madison General Ordinances is created to read as follows:

“15. Mobile grocery store provided that:

- a. It is owned and operated by a non-profit entity.
- b. There is a principal use on the zoning lot.
- c. The location on the zoning lot shall be approved by the Traffic Engineer and the Zoning Administrator.
- d. A waiver or modification of the off-street parking requirements for the principal use on the zoning lot has been obtained.
- e. Hours of operation shall be between 7:00 a.m. and 8:00 p.m.”

14. Paragraph 16. of Subdivision (c) entitled “Permitted Uses” of Subsection (3) entitled “SM Specific Manufacturing District” of Section 28.10 entitled “Manufacturing Districts” of the Madison General

Ordinances is created to read as follows:

- “16. Mobile grocery store provided that:
- a. It is owned and operated by a non-profit entity.
  - b. There is a principal use on the zoning lot.
  - c. The location on the zoning lot shall be approved by the Traffic Engineer and the Zoning Administrator.
  - d. A waiver or modification of the off-street parking requirements for the principal use on the zoning lot has been obtained.
  - e. Hours of operation shall be between 7:00 a.m. and 8:00 p.m.”

15. Paragraph 70. of Subdivision (c) entitled “Permitted Uses” of Subsection (4) entitled “M1 Limited Manufacturing District” of Section 28.10 entitled “Manufacturing Districts” of the Madison General Ordinances is created to read as follows:

- “70. Mobile grocery store provided that:
- a. It is owned and operated by a non-profit entity.
  - b. There is a principal use on the zoning lot.
  - c. The location on the zoning lot shall be approved by the Traffic Engineer and the Zoning Administrator.
  - d. A waiver or modification of the off-street parking requirements for the principal use on the zoning lot has been obtained.
  - e. Hours of operation shall be between 7:00 a.m. and 8:00 p.m.”